



TOWN OF TYNGSBOROUGH

Office of the Selectmen

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Selectmen's Meeting Agenda

Monday April 30, 2007

6:00 P.M.

Town Offices

Members present: Selectman Jay Booth, Selectman Kevin O'Connor, Selectwoman Jacqueline Schnackertz, Selectman Rich Lemoine and Selectwoman Karyn Puleo

Staff Present: Town Administrator Rosemary Cashman, and
Admin Assistant Therese Gay

Selectwoman Puleo opened the meeting at 6:05 P.M., the Board was introduced and Selectwoman Schnackertz read this evening's agenda.

1. 6:00 P.M. Constable Application

The Board received and reviewed the application for a Constable appointment from Mr. Guy Gill. The paperwork is in order, and has the recommendation from the Acting Police Chief. The Board welcomed Mr. Gill. Mr. Gill stated that he has been appointed in three other communities, he works closely with the Dept. of Revenue, the Child Welfare Division, and serves legal documents for area Attorneys. Mr. Gill will send a copy of his bond to the office. The Chair hearing no further questions entertained a motion from the Board.

A motion was made by Selectman O'Connor to approve the application for Constable and to appoint Mr. Gill as a Constable term to expire June 30, 2008, second by Selectwoman Schnackertz. The Board voted unanimously.

2. 6:05 P.M. Public Hearing – Road Layout & Acceptance – Dabilis Avenue

A motion was made by Selectwoman Schnackertz to open the hearing, second by Selectman Lemoine. The Board voted unanimously.

The hearing this evening is about the layout and acceptance of Dabilis Avenue as a town way. The Selectmen had approved the intention to layout and accept Dabilis Avenue as a town way on March 12, the Planning Board approved the road for acceptance on April 19 and there is a warrant article on this issue at the May 15 Town Meeting. The Planning Board's consulting Engineer has reviewed the layout and has recommended it for approval, Town Counsel has reviewed and has been provided with a draft of the Quitclaim deed from DECA Corp, owners of the road, and a Release Deed from the property owners on Dabilis Avenue. There was some discussion. A resident Mr. Parascand of 3 Dabilis Ave asked who would he notify to have street lights installed, The Board will check with the Planning Board to see if arrangements were made to have street lights installed. The Chair hearing no further discussion entertained a motion from the Board.

A motion was made by Selectwoman Schnackertz to approve the layout of and accept Dabilis Avenue as a town way as shown on a plan of land entitled "Dabilis Avenue, Tyngsborough, Massachusetts, Street Acceptance Plan", prepared for Charles Place, Inc., by DK Engineering Associates, Inc. with survey provided by Findeisen Survey & Design, LLC dated December 14, 2006, second by Selectman Lemoine. The Board voted unanimously.

3. 6:15 P.M. Sewer Budget and Articles 33 & 34
Sewer Commissioner Jeff Hannaford explained the articles 33 and 34, and presented the Sewer Dept. budget. Some discussion followed. The Selectmen thanked Mr. Hannaford for coming this evening.

A motion was made by Selectman Booth to recommend articles 33 and 34, second by Selectman O'Connor. The Board voted unanimously.

4. 6:30 P.M. FY08 Budget and Town Meeting Warrants – General Discussion
The Selectmen discussed the changes on article 16 and discussed the additional clarification wording on article 17.

A motion was made by Selectman Lemoine to accept the changes as presented on article 16, second by Selectwoman Schnackertz. The Board voted unanimously.

A motion by Selectman Lemoine to approve article 17 as amended, second by Selectwoman Schnackertz. The Board voted unanimously. The Board reviewed article 30 and article 39. The Board approved article 39.

The Town Administrator presented the final budget to the Board. Discussion followed.

5. 6:45 P.M. Recreation Commission – Town Beach
The Recreation Dept. Director along with two Lake Mascuppig Association Representatives discussed the idea of a playground at the town beach. The Association will donate picnic tables and along with the Recreation Dept. would like to have a couple of slides and a swing set. They would also like to have a set of horse shoes, a tether ball and will rebuild the shed. The Association has been in contact with an electrician who will donate his time if the Association purchases the materials needed. Because of the vandalism the Association hopes that having a security light may deter the young crowd from gathering. They will work with the Highway Department to help keep the beach clean. After discussion the Board decided it would be best to hold a public hearing to inform the citizens who reside near the beach about the request of a playground at the town beach site.

6. Other Business (if necessary)

A. Greene Property – Sale to the State

The Board at their April 12 meeting accepted and signed the purchase agreement for the sale of the Greene Property. The Board has received a request to include some additional language with the agreement. Town Counsel has reviewed and says that the document is fine.

A motion was made by Selectman O'Connor to accept the new language of full settlement to be added to the sale agreement, second by Selectman Lemoine. The Board voted unanimously.

7. Citizen's Time

No one came forward this evening.

8. Correspondence

A motion was made by Selectwoman Schnackertz to accept the 10 pieces of correspondence, second by Selectman O'Connor. The Board voted unanimously after some discussion on the correspondence, the letter received from DOR about the request for a financial management review and some discussion of the MSBA of a possibility of a grant for reimbursement of the roof repair at the Early Childhood Center.

9. Selectmen's Notes

Selectman Booth sends congratulatory to the Patriots. Selectman O'Connor reminded everyone about the Memorial Day festivities on May 28th. Selectwoman Schnackertz mentioned the regional recycling meeting, May 24th to discuss changes for Tyngsborough in relation to fees. Some discussions on the existing fees and there will be no new fees. It is good for everyone to be well informed on the recycling. Selectman Lemoine thanked Town Counsel and Mr. McNamara for their help on the sale of the Greene Property. Selectman Lemoine would like to send an acknowledgement letter to Mr. McNamara. Selectman Lemoine and Selectwoman Schnackertz attended the Mass Municipal Association meeting held in Westford, the meeting was very informative and had much information to share of which the Municipal Partnership Act was one. Selectman Lemoine suggested that this legislative act be placed on the next Selectmen's agenda. Selectwoman Puleo noted the Unsung Heroine Award has recognized Connie Spickler, Children's Librarian and she will be honored on May 16 at 1:00 P.M. The Board has been invited by the Fire Department to the live fire training at the Nashua Training Ground.

10. Town Administrator's Notes

The Town Administrator has been very busy finishing the budget for town meeting.

A motion was made by Selectwoman Schnackertz to enter into a Work Session and to enter into an Executive Session at the conclusion of the work session and to exit executive session to open session only to adjourn, second by Selectman Lemoine. Roll Call Vote: Selectman Jay Booth, yes; Selectman Kevin O'Connor, yes, Selectwoman Jacqueline Schnackertz, yes; Selectman Rich Lemoine, yes; and Selectwoman Karyn Puleo, yes.

7:45 P.M.

11. Work Session (If Necessary)

The Board entered into a work session to discuss the position of Conservation Director. The applicant has been working on a part time basis and is doing well. The Conservation Commission supports offering the application the position of part time Director. The Board will act on the request at their next scheduled meeting.

There was some discussion on budgets in preparation of Town Meeting.

12. Executive Session (If Necessary)

A. Litigation – Discussion with Town Counsel Charles Zaroulis

Town Counsel was present to discuss two litigation cases. He has asked the Board which direction they wanted to take in resolving the issues. Selectman Booth discloses that he is a neighbor of the Mical case on Middlesex Road and left the room during discussions. Town Counsel will keep the Board informed as the cases progress.

A motion was made by Selectwoman Schnackerktz to exit executive session to open session to adjourn, second by Selectman Lemoine.

Roll Call Vote: Selectman Jay Booth, yes; Selectman Kevin O'Connor, yes, Selectwoman Jacqueline Schnackertz, yes; Selectman Rich Lemoine, yes; and Selectwoman Karyn Puleo, yes.

12. Adjournment

A motion was made by Selectman O'Connor to adjourn, second by Selectwoman Schnackertz. The Board voted unanimously.

The Board adjourned at 8:55 P.M.

Respectfully submitted

Therese Gay
Admin Assistant

Approved on: _____